

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 15

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE LAVA HOT SPRINGS FOUNDATION; AMENDING SECTION 67-4402, IDAHO CODE, TO DELETE REFERENCE TO THE APPROVAL OF THE BOARD OF EXAMINERS OF THE STATE OF IDAHO RELATING TO THE LEASE OF CERTAIN PROPERTY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-4402, Idaho Code, be, and the same is hereby amended to read as follows:

67-4402. POWERS AND DUTIES OF FOUNDATION. The foundation shall have powers and duties as follows:

(1) To take charge of all personal property and the lands and property of the state of Idaho situated within and near the village of Lava Hot Springs and hereinafter more fully described and to have a general supervision and control of all buildings, improvements, and property appertaining thereto.

(2) To lease any real or personal property not used or needed by the foundation for a period not exceeding ninety-nine (99) years, to any individual or company, ~~subject to approval by the board of examiners of the state of Idaho.~~ Any lease entered into pursuant to this section shall be exempt from limitation as to term of lease as set forth in section 58-307, Idaho Code.

(3) To enter into contracts with federal, state, and local governmental agencies for flood control projects and measures, for multiple use water resource development, and for any other project or measure incidental or conducive to the attainment of the purposes of the foundation.

(4) To exercise such powers as are incidental or conducive to the attainment of the purposes of the foundation, including the power to contract and the power to sue and be sued.

(5) To promulgate such rules as may be necessary to discharge the duties of the foundation.

(6) To employ such personnel as may be necessary for the administration of its duties in accordance with the rules of the administrator of the division of human resources promulgated pursuant to chapter 52, title 67, Idaho Code.

(7) To appoint an executive director of the foundation as provided herein and to advise him in the performance of his duties and his formulation of general policies affecting the foundation.

(8) To encourage and promote interest in the Lava Hot Springs properties and in the foundation.

(9) To hold an annual meeting during the month of January in each year and, in addition thereto, at such other times as the said members may prescribe.

(10) To have and use an official seal.